

McNamara Declaration

Exhibit 42

From: Internet Archive
Sent: Wednesday, February 13, 2019 6:24 PM EST
To: Rachael Treasure
Subject: Re: Giving away my intellectual property

Hello,

Thank you for contacting the Internet Archive.

Please be advised that we have made a good faith effort to disable lending access to any e-book instances of the identified works or items on our sites, archive.org and openlibrary.org.

To explain this type of access a little bit, the Internet Archive is a registered charity and non-profit library and we have several library services that make modern books available on a limited basis to the public, including our Library Lending Program. Under this program, The Internet Archive and physical library partners make available e-copies of books scanned from the physical books that we own. The e-copies may be borrowed for two weeks, after which access to the user is disabled and the copy frees up for another patron to borrow. A statement from legal scholars about this model may be read at <https://controleddigitallending.org/statement>. As mentioned above, we have disabled lending access in this instance as a courtesy.

We seek to be respectful to creators and operate within the traditional norms and functions of libraries. We understand that some may view this program differently than we do and appreciate your contacting us. If you have ongoing concerns or questions, please let us know.

--

The Internet Archive Team

On 2/13/19 1:53 PM, Rachael Treasure wrote:

Dear Open Library employees,

I'm writing to you from a little farm house in Tasmania where I have existed on a meagre writer income for the past ten years in order to support my two children as a single mother. It's been fucking tough... but I've loved every minute of rising to the challenge of telling stories that empower women in rural culture and making a modest living from that vocation. Our writer's organisation, the Australian Society of Authors has alerted its members that books are being scanned and electronically loaned for free. FREE! WHAAAAT? How on earth can people who love books - and clearly you must if you are in the 'library business' find that appropriate? In reality it is stealing from the artists and their families who created those works.

Sometimes I wonder if free books are a way in for a wider reach in readership - but then it comes back to the fact that I have to feed my kids and pay my house loan. Public Lending Rights here in Australia have kept me from going broke. I believe your organisation needs to review your illegal operation.

Could you please consider an agreement between myself and my publishers that will offer remuneration for any future lendings.

If not, could you remove *The Farmer's Wife*, *Jillaroo* and *The Rouseabout* by Rachael Treasure and any of my other titles from your system. (Penguin Australia and Harpercollins, Random House UK)

Incidentally I noticed *Girls Night In 4* was listed... the authors in that collection gave those stories over for free to support the War Child charity. I'm concerned that valuable charity is missing out on sales.

Could you also please consider within your heart and soul if what you are doing is honourable towards authors. We all love books and we all love sharing books, but the original creator needs to be paid at some stage in your system.

I wish you the best of days,

Rachael Treasure

--

Rachael Treasure

Author
[REDACTED]
[REDACTED]

www.rachaeltreasure.com

My latest book 'Down the Dirt Roads' has been selected for the 2017 Tasmanian Premier's Prize List Margaret Scott Award long list. Find my book at <https://penguin.com.au/books/down-the-dirt-roads-9780670079438>